

REMARKS

INTRODUCTION:

In accordance with the foregoing, the Specification and claims 1, 3-5 and 7-8 have been amended. Claims 1-12 are pending and under consideration.

EXAMINER INTERVIEW

An in-person interview was conducted between the Examiner and the Applicant's representative on October 26, 2004. The Examiner is thanked for his time.

REJECTION UNDER 35 U.S.C. §112:

Claim 10 is rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The basis of the Examiner's position is that the feature that the crankshaft 16 does not revolve around the input gear is not supported by the original disclosure. As was pointed out in the interview, present FIG. 1 illustrates the input gear 14, the crank shaft 16, and the spur gear 15 attached to the crank shaft 16 and driven by the input gear 14. The input gear 14 and crank shaft 16 rotate around separate axes, not each other.

In the interview, the Examiner indicated that if the input gear 14 and crank shaft 16 rotated in contact with each other, this would be rotation 'around' each other. However, the spur gear 15 is disposed between the input gear and crank shaft 16.

Furthermore, the Examiner relies upon MPEP 2173.05(i) as holding that the claimed negative recitation is improper. However, it is noted that this section states that "the mere absence of a positive recitation is not the basis for exclusion" of a negative recitation. This section also states that "a lack of literal basis in the specification for a negative limitation may not be sufficient to establish a *prima facie* case for lack of descriptive support." Thus, there is support in this section for negative limitations in the claims.

Although the relied upon section states that any negative limitation must have basis in the original disclosure, it is submitted that there is basis, as discussed above. However, to more clearly clarify this feature, the Specification has been amended herein.

Accordingly, withdrawal of the rejection is requested.

REJECTION UNDER 35 U.S.C. §103:

Claims 1-12 are rejected under 35 U.S.C. §103 as being unpatentable over Matsumoto et al. in view of Mauletti

Using independent claim 4 as an example, this claim recites that the shaft of the motor is spaced from a center of rotation of the rotating member of speed reducer and the rotating member defining a through hole passing therethrough, the center of rotation of the rotating member being within the through hole. The Examiner's attention is drawn to present FIG. 1, which illustrates the arrangement of the motor 13 and the rotating member 21 and the through hole 50.

The Examiner admits that Matsumoto does not disclose the shaft of the motor is spaced from a center of rotation of the rotating member. Instead, the Examiner relies upon Mauletti. However, extensive modifications to Matsumoto would have been required in order to achieve the feature regarding the center of rotation of the rotating member being within the through hole. Such modifications are not taught in either of the cited references.

Accordingly, withdrawal of the rejection is requested.

Independent claims 4 and 5 recite similar features.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

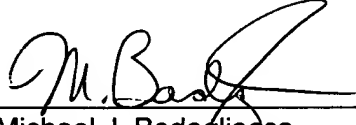
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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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